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Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. A780 **/2005**

PETITIONERS

1. Vedram Sinha,
S/o. Late Shri D.R. Sinha,
Aged about 49 years,
Assistant Grade-III,
O/o. E.E., PWD, Durg Division,
Durg (C.G.)

2. J.R. Sahu,
S/o. Late Shri Premlal Sahu,
Aged about 50 years,
Tracer, O/o. SDO, PWD,
Sub-Divn.No.2, Durg (C.G.)

4861/05
Anand Verma
dated 19/9/05

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through its Secretary,
Public Works Department,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)

2. Chief Engineer,
Public Works Department,
Raipur (C.G.)

3. Superintendent Engineer,
Public Works Department,
Durg Circle, Durg (C.G.)

4. Executive Engineer,
Public Works Department,
Durg Division, Durg (C.G.)

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19.9.05
CLERK to A. G. BILASPUR

19/9/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION AND FOR OTHER SUITABLE WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4780 **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7.10.2005

W.P.No.4780/2005

Shri Ashish Shrivastava, counsel for the petitioners.

Shri Vivek Sharma, Panel Lawyer for the State on advance copy.

Heard.

The petitioners who are working as Assistant Grade-III and Tracer under the Executive Engineer, PWD, Division-2, Durg, have challenged their order of relieving dated 14.9.2005 (Annexure P-5) which was in pursuance of their transfer order dated 27.10.2001 by which they were transferred from Durg to Bemetara.

Learned counsel for the petitioners submits that the petitioners were transferred on 27.10.2001 but, they were not relieved so far. The Executive Engineer as well as Superintending Engineer had recommended for cancellation of their transfers and the matter was pending before the Chief Engineer for a very long period and the petitioners were working at Durg itself and now this order of relieving dated 14.9.2005 has been issued at a very belated stage.

Learned counsel for the petitioners makes a limited prayer that looking to the long period in between 27.10.2001 to 14.9.2005, for the present, the petitioners may be allowed to file a detailed representation before the concerned authority and the concerned

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मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

authority may be directed to dispose of their representation(s) within the stipulated period granted by this Court.

This limited prayer, made by learned counsel for the petitioners is not opposed by the State counsel.

The prayer is allowed.

If so advised, the petitioners may file a detailed representation before the competent authority alongwith a certified copy of this order and a copy of writ petition within a period of one month from today and if such a representation is filed, the competent authority shall dispose of the same as early as possible preferably within a period of 6 weeks from the date of filing/receipt of the said representation, keeping in mind that the order of transfer was issued as back as on 27.10.2001 and the same was kept in abeyance till 14.9.2005 and after such a long period, the petitioners have been directed to be relieved.

In the peculiar facts and circumstances of the case, when the order of transfer dated 27.10.2001 was not given effect to for such a long period, I hereby direct that the same shall be kept in abeyance for a period of 8 weeks from today and the petitioners shall be allowed to continue at their present place of posting. By this period it is expected that the representation shall be decided and the

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

results shall be communicated to the petitioners.

With the aforesaid observations, this petition stands finally disposed of.

Consequently, M.W.P. No.3865/2005 and I.A.No.8509/2005 stand disposed of.

Certified copy as per rules.

Sd/-
Sunil Kumar Sinha
Judge

Sunita

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18.10.05 13/1/06